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Attorney Docket No.: 07184-00049

Declaration for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PREFORMED CONTAINER FOR GROWING FLOWERING PLANT BULBS

the specification of which (check one)

- ☐ is attached hereto.
☒ was filed on October 28, 2003 as United States Application Serial No. 10/695,220.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s): NONE

Number	Country	Day/Month/Year	Priority Claimed Yes/No
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I hereby claim benefit under Title 35, United States Code, §119(c) of any United States provisional applications listed below:

Provisional Application Number

Filing Date

60 / 421,655

10/28/2002

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Applications: NONE

Serial No.

Filing Date

Status (patented, pending,
abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Send all correspondence to:

21918

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PATENT TRADEMARK OFFICE

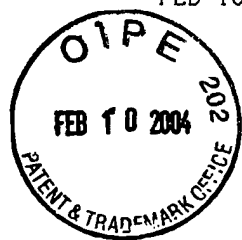
Direct Telephone Calls to:

Morgan S. Heller II at (802) 863-2375

(1) Full Name of Inventor: William R. Raap
Signature: [Signature]
Date: 2/7/04
Residence: 63 Webster Road, Shelburne, VT 05482
Citizenship: U.S.
Post Office
Address: Same as residence address

(2) Full Name of Inventor: Lynette N. Raap
Signature: [Signature]
Date: Feb. 10, 2004
Residence: 63 Webster Road, Shelburne, VT 05482
Citizenship: U.S.
Post Office
Address: Same as residence address

11V.255022.1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: William R. Raap, et al.

Serial No.: 10/695,220

Filed: October 28, 2003

Title: PREFORMED CONTAINER FOR GROWING FLOWERING PLANT BULBS

Examiner: Not yet assigned.

Group No.: Not yet assigned.

Attorney Docket No.: 07184-00049

**POWER OF ATTORNEY BY ASSIGNEE AND
CERTIFICATION UNDER 37 CFR 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

As an officer of America's Gardening Resource, Inc. ("assignee"), a Vermont corporation, I hereby certify that to the best of assignee's knowledge and belief it is the assignee of the entire right, title and interest in and to the above-referenced patent application, and represent that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Assignee has reviewed the assignment document that evidences the placement of title in the assignee, a true and accurate copy which is attached hereto, and understands and believes that this assignment document will be or has been submitted for recordation in the U.S. Patent and Trademark Office.

Assignee hereby appoints on its behalf the following patent attorneys to prosecute the patent application identified above and to transact all business in the Patent Office connected therewith:

Lawrence H. Meier, Esq.
DOWNS RACHLIN MARTIN PLLC
USPTO Customer No. 21918

Pursuant to 37 C.F.R. § 3.71, the assignee hereby states that prosecution of the above-referenced patent application is to be conducted to the exclusion of the inventors.

P226-G03

02/10/04 17:10 FAX 802 864 4906
FEB-10-04 TUE 03:05 PM

Downs Rachlin & Martin
FAX NO.

011/013
P. 22

Send all correspondence relating to this matter to:

Morgan S. Heller II, Esq.
DOWNS RACHLIN MARTIN PLLC
Customer No. 21918


Direct all telephone calls to Morgan S. Heller II, Esq. at 802-846-8317.

The undersigned hereby declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 10 day of FEBRUARY 2004.

ASSIGNEE:

AMERICA'S GARDENING RESOURCE, INC.

By 
Name: James Feinson
Title: President
Address: 128 Intervale Road
Burlington, VT 05401

01v.255025.1

P226-603

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Attorney Docket No. 07184-00049

ASSIGNMENT

Whereas, we,	Residing in:
(1) William R. Raap	City/Town: Shelburne State: Vermont
and (2) Lynette N. Raap	City/Town: Shelburne State: Vermont

have invented a certain new and useful

PREFORMED CONTAINER FOR GROWING FLOWERING PLANT BULBS

and have executed, respectively, a United States patent application therefor on

February 7, 2004;

And whereas, America's Gardening Resource, Inc., a corporation of Vermont, having a place of business at 128 Intervale Road, Burlington, VT 05401 (hereinafter called Assignee), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for good and valuable consideration, receipt whereof is hereby acknowledged, we the above-named hereby sell, assign, and transfer to Assignee, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in said application to Assignee, its successors and assigns; and we hereby agree that Assignee may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by Assignee.

We the above-named hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

(1) Executed at Shelburne (city/town), VT (state), this
7 day of Feb, 2004.

(1) William R. Raap
William R. Raap

(2) Executed at Shelburne (city/town), Vermont (state), this
7 day of February, 2004.

(2) Lynette N. Raap
Lynette N. Raap

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